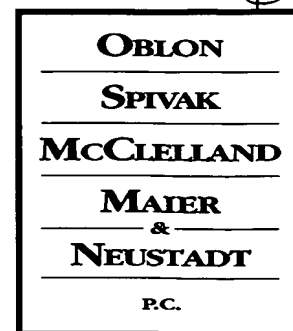




Docket No.: 2084-0046-0 DIV

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/306,780 ✓

Applicants: Fuminori TAKEMURA, et al.

Filing Date: May 7, 1999

CPA Filed: May 29, 2001

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD  
OF PRODUCING NUCLEIC ACID-BOUND  
POLYPEPTIDE, AND IMMUNOASSAY USING THE  
POLYPEPTIDE

Group Art Unit: 1645

Examiner: Hines, J.

Allowed: April 8, 2005

SIR:

Attached hereto for filing are the following papers:

**Comments on Statement of Reasons for Allowance**  
**Copy of Date-stamped Filing Receipt dated December 4, 2002**  
**Copy of Information Disclosure Statement filed December 4, 2002**  
**Copy of Form PTO 1449 filed December 4, 2002**  
**Copy of Cited References (5) filed December 4, 2002**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Vincent K. Shier, Ph.D.

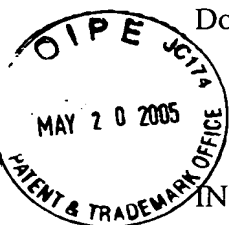
Registration No. 50,552

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)



Docket No.: 2084-0046-0 DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

:

FUMINORI TAKEMURA ET AL

: EXAMINER: HINES, J.

SERIAL NO: 09/306,780

: GROUP ART UNIT: 1645

FILED: MAY 7, 1999

: ALLOWED: APRIL 8, 2005

CPA FILED: MAY 29, 2001

FOR: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING NUCLEIC  
ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING THE  
POLYPEPTIDE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

SIR:

Responsive to the Notice of Allowance dated April 8, 2005, Applicants request that the Examiner provide acknowledgment that the references cited on the Information Disclosure Statement filed on December 4, 2002, have been considered. Applicants respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of the Form PTO-1449 enclosed herewith listing this reference. Accordingly, Applicants submit herewith a copy of the Information Disclosure Statement as filed on December 4, 2002, along a copy of the date-stamped filing receipt evidencing the timely filing thereof, and a copy of the references for which consideration is requested.

An early and favorable indication that the Information Disclosure Statement has been considered is kindly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
Registration No.: 50,552

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 08/03)



Dept.: -C-

By: NFO/VKS/sfb

OSMM&N File No. 2084-0046-0 DIV

Serial No. 09/306,780

In the matter of the Application of: Fuminori TAKEMURA, et al.

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING  
NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING  
THE POLYPEPTIDE

CPA Filed: May 29, 2001

Due Date: 12/04/02

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Check for \$1100.00
- ☒ Dep. Acct. Order Form
- ☒ PTO Cover Letter
- ☒ Amendment and Request for Reconsideration w/Marked-up Copy
- ☒ Information Disclosure Statement
- ☒ PTO-1449
- ☒ Cited References 5
- ☒ Request for Extension of Time Three Months

COPY



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF: Fuminori TAKEMURA et al.

SERIAL NO: 09/306,780

GAU: 1645

FILED: MAY 7, 1999

EXAMINER: HINES, JANA A.

FOR: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING THE POLYPEPTIDE

CPA FILED: May 29, 2001

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited first in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON SPIVAK, McCLELLAND,  
MAIER & NEUBADT, P.C.



22850

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Vincent K. Shier, Ph.D.  
Registration No. 50,552

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MAY 20 2005

SHEET 1 OF 1

Form PTO 1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
2084-0046-0 DIVSERIAL NO.  
09/306,780

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT  
Fuminori TAKEMURA et al.FILING DATE  
MAY 7, 1999GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO	
	AO	6-27109	02-04-94	JAPAN w/English Abstract		X
	AP	7-118291	05-09-95	JAPAN w/English Abstract		X
	AQ	0 286 239	10-12-88	EUROPE		
	AR	WO 91/12328	08-22-91	WIPO		
	AS					
	AT					
	AU					
	AV					

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	R. Caswell et al., "Attempts to Engineer an Escherichia Coli DNA-Binding Protein as a Tool for Affinity Purification of Heterologous Proteins," <i>Biotechnology Techniques</i> , Vol. 7, No. 4, (April 1993), pages 307-312.
	AX	
	AY	
	AZ	

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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